

RM-7645 RECEIVED  
DEC 11 1990

BEFORE THE

Federal Communications Commission  
Office of the Secretary

# Federal Communications Commission

In the Matter of )

Amendment of Section 73.202(b), )  
Table of Allotments, )  
FM Broadcast Stations. )  
(Shingle Springs, California) )

RM- 7645  
MM 92-20

To: Chief, Mass Media Bureau

## PETITION FOR RULE MAKING

Lobster Communications Corporation ("Lobster"), licensee of FM Broadcast Station KLIQ, Shingle Springs, California, through its attorneys and pursuant to Sections 1.419 and 1.420 of the Commission's Rules, hereby requests that the Table of Allotments for FM Broadcast Stations, Section 73.202(b) of the Commission's Rules, be amended as follows:

| <u>City</u>         | <u>Channel No.</u> |                 |
|---------------------|--------------------|-----------------|
|                     | <u>Present</u>     | <u>Proposed</u> |
| Shingle Springs, CA | 270B1              | 270B            |
| Quincy, CA          | 271C2              | 271A            |

In support thereof, the following is set forth:

1. Set forth as an attachment is the engineering statement of Robert P. Smith of Hammett & Edison, Inc., which supports the allocation of Channel 270B in lieu of Channel 270B1 at Shingle Springs, California for use by Station KLIQ. The allocation of FM Channel 270B at Shingle Springs can be effected subject to the following conditions.

2. The instant proposal would be short-spaced to a counterproposal of Modern Broadcasting Corporation in MM Docket No. 89-288 to substitute Channel 269C2 for Channel 269A at Reno, Nevada for use by Station KSNV. On November 30, 1990, Lobster acquired Station KSNV from Modern Broadcasting Corporation pursuant to Commission authority in Application File No. BALH-900824EF granted on November 7, 1990. Concurrent with the filing of the instant petition for rule making, Lobster has filed a motion to dismiss the above-mentioned counterproposal in MM Docket No. 89-288 for upgrade of KSNV to a Class C2 facility.

3. Secondly, the proposed substitution of 270B at Shingle Springs would be short-spaced to the 271C2 allocation at Quincy, California, which is occupied by Station KQNC, licensed to Olympic Broadcasters, Inc. Set forth as an attachment is the statement of Jamie Clark, a Vice President of both Olympic Broadcasters, Inc. and Lobster, stating that KQNC will file an application to downgrade the facilities of Station KLIQ to a Class A station should the instant petition for rule making be granted.

4. Subject to the above, the substitution of Channel 270B for 270B1 at Shingle Springs, California complies with the Commission's minimum channel separation requirements. Moreover, the proposed upgrade in facilities will permit Station KLIQ to make maximum utilization of its authorized frequency spectrum in order to provide service to the greatest possible number of people in the Shingle Springs service area. Accordingly, it is submitted that

the proposed amendment of the FM Table of Allotments would serve the public interest and the Commission is requested to issue a Notice of Proposed Rule Making to implement the instant petition for rule making.

Respectfully submitted

LOBSTER COMMUNICATIONS CORPORATION

By   
Richard A. Helmick, Esq.

COHN AND MARKS  
1333 New Hampshire Ave., N.W.  
Suite 600  
Washington, D.C. 20036  
(202) 293-3860

Its Attorneys

December 11, 1990

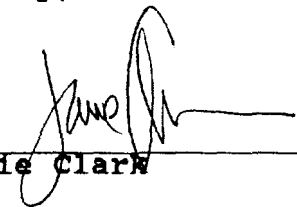
STATEMENT

I, Jamie Clark, hereby state as follows:

- 1- I am Vice President of Lobster Communications Corporation, licensee of FM Broadcast Station KLIQ, Shingle Springs, California, and Olympic Broadcasters, Inc., licensee of FM Broadcast Station KQNC, Quincy, California.
- 2- Station KLIQ is seeking to upgrade its facilities on FM Channel 270B1 by substituting Channel 270B in lieu thereof. FM Channel 270B at Shingle Springs would be short-spaced to FM Channel 271C2 at Quincy, California, such allocation being used by Station KQNC. In the event that the Commission approves the allocation of Channel 270B to Shingle Springs, California for use by Station KLIQ, KQNC will file an application to downgrade its facilities from Channel 271C2 to Channel 271A.

I declare, under penalty of perjury, that the foregoing is true and correct.

Date: 12/10/90

  
\_\_\_\_\_  
Jamie Clark

CERTIFICATE OF SERVICE

I, Jovana M. Cooke, a secretary in the law firm of Cohn and Marks, hereby certify that I have, this 11th day of December, 1990, caused to be hand delivered a copy of the foregoing PETITION FOR RULE MAKING to the following:

Andrew J. Rhodes  
Acting Chief  
Allocations Branch  
Policy and Rules Division  
Mass Media Bureau  
Federal Communications Commission  
2025 M Street, N.W., Room 8322  
Washington, D.C. 20554

Nancy Joyner  
Allocations Branch  
Policy and Rules Division  
Mass Media Bureau  
Federal Communications Commission  
2025 M Street, N.W., Room 8314  
Washington, D.C. 20554

  
Jovana M. Cooke

**FM STATION KLIQ  
SHINGLE SPRINGS, CALIFORNIA**

**ENGINEERING STATEMENT OF ROBERT P. SMITH**

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained by Lobster Communications Corporation, licensee of FM Station KLIQ, Shingle Springs, California, to prepare the engineering portion of a petition to make changes to the FM Table of Allotments, Section 73.202(b) of the FCC Rules.

**PROPOSED CHANGES**


It is proposed to make the following changes:

1. Change the classification of Station KLIQ(FM) from 270B1 to 270B, and
2. Change the classification of Station KQNC-FM from 271C2 to 271A (6 kW).

The above changes will allow continued service to Quincy, California, by Station KQNC-FM, while permitting Station KLIQ to upgrade and provide more extensive service to a populous area. All FM stations allocated to Quincy would then be the same class.

Attached figures show the allocation conditions for Channel 270B and the area where a site may be located. Studies show that there are a number of sites within this area that will provide the required service to Shingle Springs and meet all the spacing requirements.

**HAMMETT & EDISON, INC.**  
Consulting Engineers

  
\_\_\_\_\_  
Robert P. Smith

October 3, 1990

# AFFIDAVIT

State of California     )  
                                  ) ss:  
County of San Mateo    )

Robert P. Smith, being first duly sworn upon oath, deposes and says:

1. That he is a qualified engineer and is an officer of the firm of Hammett & Edison, Inc., Consulting Engineers, with offices located near the city of San Francisco, California,
2. That he has been associated with the firm of Hammett & Edison, Inc., since 1956, and that his qualifications are a matter of record with the Federal Communications Commission,
3. That the firm of Hammett & Edison, Inc., Consulting Engineers, has been retained by Lobster Communications Corporation, licensee of FM Station KLIQ, Shingle Springs, California, to prepare the engineering portion of a petition to make changes to the FM Table of Allotments, Section 73.202(b) of the FCC Rules,
4. That he has carried out such engineering work and that the results thereof are attached hereto and form a part of this affidavit, and
5. That the foregoing statement and the report regarding the aforementioned engineering work are true and correct of his own knowledge except such statements made therein on information and belief, and as to such statements, he believes them to be true.

---

Robert P. Smith

Subscribed and sworn to before me this 3rd day of October, 1990

---

ORIGINAL COPY NOTARIZED

**FM STATION KLIQ  
SHINGLE SPRINGS, CALIFORNIA**

**ALLOCATION CONDITIONS FOR CHANNEL 270B**

**The coordinates for possible site are**

**N 38° 53' 31"    W 120° 57' 53"**

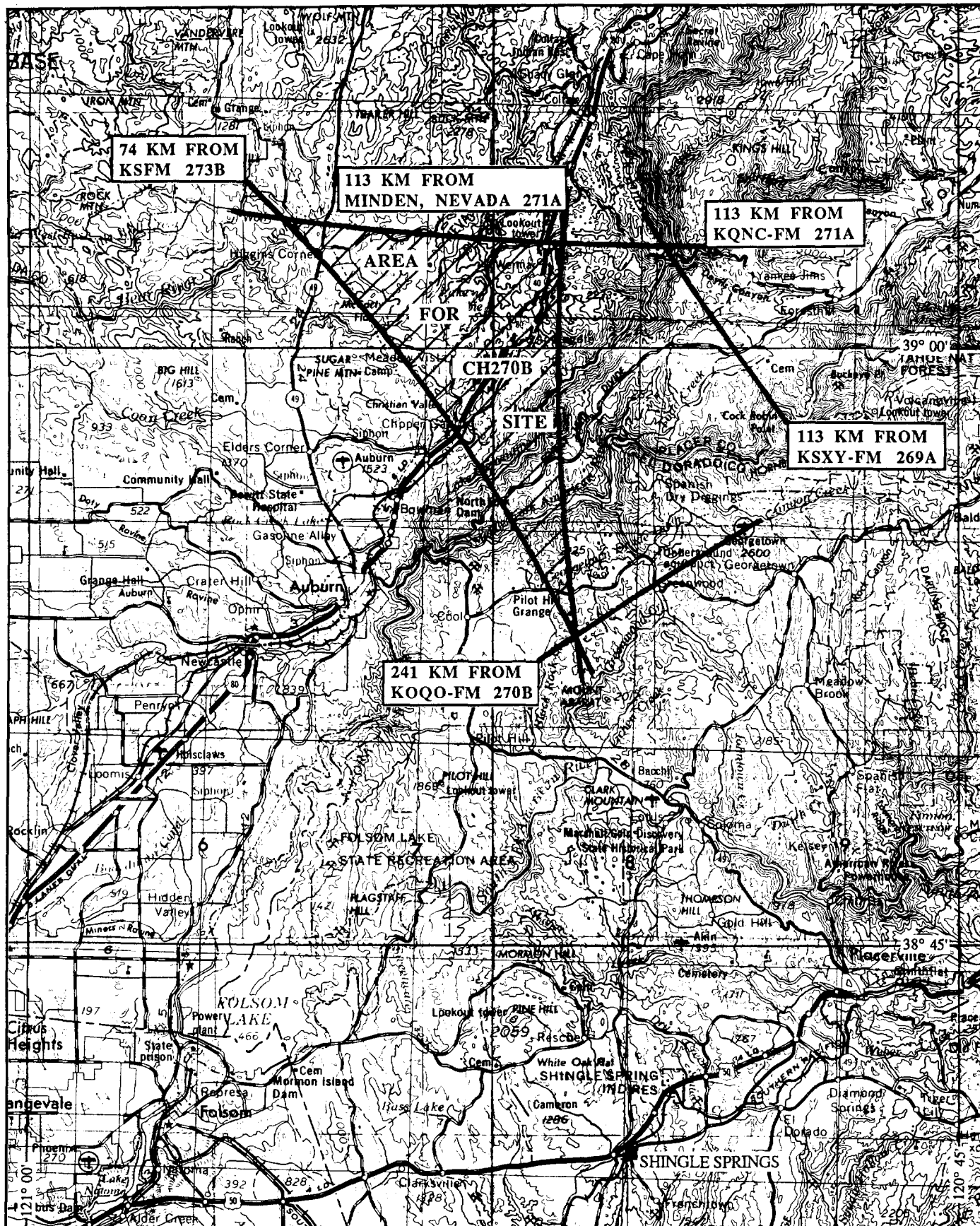
| <u>Channel</u> | <u>Allotment or Assignment</u>       | <u>Calculated<br/>Distance</u> | <u>FCC Required<br/>Distance</u> |
|----------------|--------------------------------------|--------------------------------|----------------------------------|
| 216A           | New CP, Santa Rosa, California       | 164 km                         | 15 km                            |
| 217C           | KNIS, Carson City, Nevada            | 116                            | 35                               |
| 267A           | Allotment, Gridley, California       | 82                             | 69                               |
| 268A           | Proposed, So. Lake Tahoe, California | 86                             | 69                               |
| 269A *         | KSXY-FM, Reno, Nevada                | 126                            | 113                              |
| 269B1          | KXFX, Santa Rosa, California         | 154                            | 145                              |
| 270B           | KOQO-FM, Fresno, California          | 243                            | 241                              |
| 271A           | Proposed, Minden, Nevada             | 113                            | 113                              |
| 271A †         | KQNC-FM, Quincy, California          | 130                            | 113                              |
| 272A           | KJSN, Modesto, California            | 135                            | 69                               |
| 273B           | KSFM, Woodland, California           | 74                             | 74                               |

---

\* Station KSXY-FM is commonly owned with Station KLIQ. There is pending before the FCC a petition to upgrade Station KSXY-FM to Class C2. That petition will be withdrawn or dismissed simultaneously with the filing of this petition.

† Station KQNC-FM is owned by Olympic Broadcasters, Inc., whose principals are also principals of Lobster Communications Corporation, licensee of Station KLIQ. Station KQNC-FM will file an application to downgrade to Class A upon grant of this petition.





## AREA AVAILABLE FOR CHANNEL 270B SITE

HAMMETT & EDISON, INC.  
CONSULTING ENGINEERS  
SAN FRANCISCO

FM STATION KLIQ  
101.9 MHZ, CHANNEL 270  
SHINGLE SPRINGS, CA

901001

FIGURE 2